

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL J. LANDI,

No. C 99-4301 SBA (PR)

Petitioner,

**ORDER ADDRESSING PENDING  
MOTION**

v.

(Docket no. 67)

SCOTT KERNAN, Warden,

Respondent.

In an Order dated December 7, 2007, the Court denied Petitioner relief from judgment entered on May 3, 2000.

Before the Court is Petitioner's "Motion for Enlargement of Time to Perfect a Motion for leave to file a Motion for Reconsideration," asking the Court for an extension of time in which to file a motion for reconsideration under the Northern District of California, Civil Local Rule 7-9. He states that "there are legitimate legal arguments to be made in a motion for reconsideration." (Mot. for Extension of Time at 1.)

In the Northern District of California, Local Rule 7-9 allows for the filing of motions for reconsideration only with respect to interlocutory orders made in a case prior to the entry of final judgment. See Civil L.R. 7-9(a). The Court's order denying Petitioner relief from judgment entered on May 3, 2000 was not an interlocutory order and final judgment had already been entered when Petitioner filed the instant motion. Accordingly, the motion for an extension of time in which to file a motion for reconsideration under Local Rule 7-9 (docket no. 67) is without merit; therefore, it is DENIED.

The Clerk shall terminate Docket no. 67.

IT IS SO ORDERED.

DATED:9/16/08

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 LANDI,

5 Plaintiff,

6 v.

7 HICKMAN,

8 Defendant.

Case Number: CV99-04301 SBA

**CERTIFICATE OF SERVICE**

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
10 Court, Northern District of California.

11 That on September 17, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
14 located in the Clerk's office.

15 Michael Jerry Landi #E-31433  
16 MCSP  
17 Mule Creek State Prison  
18 P.O. Box 409040  
19 Ione, CA 95640

20 Dated: September 17, 2008

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk